



Steven L. Beshear  
Governor

Leonard K. Peters  
Secretary  
Energy and Environment Cabinet

Commonwealth of Kentucky  
**Public Service Commission**  
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David L. Armstrong  
Chairman

James Gardner  
Vice-Chairman

John W. Clay  
Commissioner

October 8, 2008

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Attorney at Law  
Boult, Cummings, Conners & Berry, PLC  
P.O. Box 340025  
1600 Division Street, Suite 700  
Nashville, TN 37203-0000

CERTIFICATE OF SERVICE

RE: Case No. 2006-00058  
BellSouth Telecommunications, Inc. dba AT&T Kentucky and AT&T Southeast /  
Momentum Telecom, Inc.

I, Stephanie Stumbo, Executive Director of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the addressee by U.S. Mail on October 8, 2008.

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Executive Director

SS/tw  
Enclosure



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Rick Richardson  
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Momentum Telecom, Inc.  
2700 Corporate Drive  
Suite 200  
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Honorable Mary K. Keyer  
General Counsel/Kentucky  
BellSouth Telecommunications, Inc. dba AT&T Kentucky and AT&T Southeast  
601 West Chestnut Street, Room 408  
Louisville, KY 40203

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October 8, 2008

Honorable C. Kent Hatfield  
Attorney at Law  
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500 W Jefferson Street  
Louisville, KY 40202-2828

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October 8, 2008

Ms. Joan A. Coleman  
Vice President/Regulatory/External  
BellSouth Telecommunications, Inc. dba AT&T Kentucky and AT&T Southeast  
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COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PETITION FOR ARBITRATION OF	)	
MOMENTUM TELECOM, INC. WITH	)	
BELLSOUTH TELECOMMUNICATIONS,	)	CASE NO. 2006-00058
INC. PURSUANT TO THE	)	
TELECOMMUNICATIONS ACT OF 1996	)	

O R D E R

On February 10, 2006, Momentum Telecom, Inc. ("Momentum") petitioned this Commission for arbitration of unresolved issues between itself and BellSouth Telecommunications, Inc. d/b/a AT&T Kentucky ("AT&T Kentucky"). On September 23, 2008 and September 24, 2008, Momentum and AT&T Kentucky, respectively, filed separate notices agreeing to dismissal of this action. The parties request that, if dismissal is granted, the dismissal should be issued without prejudice and without a requirement obliging each party to waive its rights under this action.

Having reviewed the statements of the parties, and being otherwise sufficiently advised, the Commission HEREBY ORDERS that:

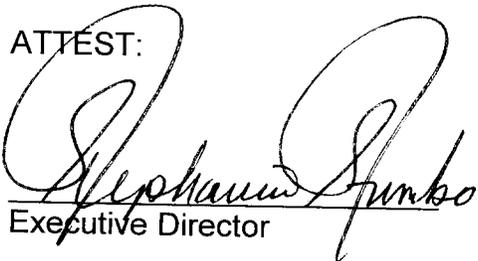
1. This matter is dismissed, without prejudice.
2. There shall not be a waiver of any of the rights of either Momentum or AT&T Kentucky, as afforded to them under this petition.
3. This matter is closed and is removed from the Commission's docket.

Done at Frankfort, Kentucky, this 8th day of October, 2008.

By the Commission

Chairman Armstrong Abstains.

ATTEST:

  
Executive Director

Case No. 2006-00058